

Docket No.: 337924US59SD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : EXAMINER: ROBINSON, B.  
TOSHIHARU OHTA, ET AL : GROUP ART UNIT: 1625  
SERIAL NO.: 10/773,344 : U.S. PATENT NO.: 7,342,014  
FILED: FEBRUARY 9, 2004 : ISSUED: MARCH 11, 2008  
FOR: DIAMINE DERIVATIVES

PETITION UNDER 37 C.F.R. §1.183

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Petitioners hereby request that the Director suspend the rules and consider their Petition Under 37 C.F.R. §1.705(d) and Request for Reconsideration of Patent Term Adjustment submitted herewith.

When the patent term adjustment finally calculated by the Office is incorrect, patentees have two mechanisms by which to challenge the patent term adjustment. These two mechanisms are:

- 1) 37 CFR §1.705(d) - (e) relate to Requests for Reconsideration of the USPTO-determined patent term adjustment. 37 CFR §1.705(d) - (e) are reproduced below (*with emphasis added*):

(d) If there is a revision to the patent term adjustment indicated in the notice of allowance, the patent will indicate the revised patent term adjustment. If the patent indicates or should have indicated a revised patent term adjustment, any request for reconsideration of the patent term adjustment indicated in the patent must be filed *within two months of the date the patent issued* and must comply with the requirements of paragraphs (b)(1)

03/29/2010 CKHL0K 00000018 150030 10773344

01 FC:1462

270.00 DA

130.00 OP

Adjustment date: 03/29/2010 CKHL0K  
02/03/2009 INIEFSW 00000057 10773344  
01 FC:1464

-130.00 OP